

Public Notice

U.S. Army Corps of Engineers, Norfolk District

CENAO-TS-REG
NAO-2008-1969

June 27, 2008

JOINT FEDERAL/STATE PUBLIC NOTICE

The District Engineer has received a prospectus to establish an umbrella compensatory mitigation bank for Federal and State permits as described below:

BANK SPONSOR:

Evergreen Environmental LLC
424 Darby Road
Wayne, PA 19087

WATERWAY AND LOCATION OF THE PROPOSED WORK: The first phase under the proposed umbrella stream and wetland mitigation bank is located on an approximately 14-acre parcel two miles north of Purcellville on the South Fork of Catoclin Creek in Loudoun County, Virginia. The project is called Evergreen Potomac River Mitigation Bank, South Fork Catoclin Creek site. The work will occur in South Fork Catoclin Creek and its tributaries.

PROPOSED WORK AND PURPOSE: The bank sponsor proposes to sponsor and establish a compensatory umbrella mitigation banking agreement. A copy of the prospectus is enclosed.

The bank will be established to provide mitigation to compensate for impacts to wetlands and streams within the specified service area. This service area shall include Piedmont areas (west of Interstate 95) of Hydrologic Unit Codes 02070008, 02070010, and 02070011 within Loudoun County, Fauquier County, Prince William County, Fairfax County, and Stafford County.

AUTHORITY: Permits may be required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217), and Title 62.1 of the Code of Virginia. This Public Notice is recommended pursuant to Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Federal Register Number 228).

COMMENT PERIOD: Comments should be made in writing to Mr. Ron Stouffer at U.S. Army Corps of Engineers – Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should arrive by the close of business on **July 28, 2008**.

FOR THE DISTRICT COMMANDER:

Keith B. Lockwood
Chief, Northern Virginia
Regulatory Section

Enclosure

**Prospectus to Establish An
Umbrella Mitigation Banking Instrument**

Evergreen Potomac River Mitigation Bank

Sponsor:

Evergreen Environmental, LLC
424 Darby Road
Wayne, PA 19087

Prepared by:

Acorn Environmental, Inc.
708 Laurel Lane
Severna Park, Maryland 21146
410-729-1470

June 16, 2008

**Prospectus to Establish An
Umbrella Compensatory Mitigation Banking Instrument
for the Evergreen Potomac River Mitigation Bank**

June 16, 2008

I. Project Description

Evergreen Environmental, LLC (Sponsor) proposes to establish an umbrella compensatory mitigation bank to provide mitigation for wetland and stream impacts in the service area defined by the Piedmont region of Hydrologic Unit Codes 02070008, 02070010 and 02070011. The umbrella banking instrument will be developed through coordination with the Interagency Review Team (IRT).

The Bank will be used as compensatory mitigation for unavoidable impacts to waters of the United States, including wetlands, that result from activities authorized under Section 401 and 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act and Section 62.1-44.15:5 of the Code of Virginia provided such activities have met all applicable requirements and are authorized by the appropriate authority.

The initial site to be developed under the umbrella banking instrument is located on 13.8 acres of Echo Dell Farm, located approximately 2 miles north of Purcellville on the South Fork Catoctin Creek in Loudoun County (Exhibit 1 -Site Vicinity). The goal of the South Fork Catoctin Creek (SFCC) mitigation site is to restore and establish 3.27 acres of seasonally saturated, forested wetlands, enhance 500 linear feet of stream channel, plant 7.2 acres of riparian buffer, and preserve 3.3 acres of high quality riparian buffer. The wetland design will target functions and values associated with wildlife habitat, nutrient removal and transformation, sediment retention, and flood-flow attenuation. The SFCC mitigation site provides an opportunity to restore and preserve a substantial area along perennial stream channels that have historically been used for hay and pasture. The combination of wetland establishment and stream restoration will greatly improve the overall quality and integrity of the riparian ecosystem.

II. Geographic Service Area

The proposed Evergreen Potomac River Mitigation Bank will include individual mitigation sites to compensate for impacts to Waters of the United States and/or State Waters, including wetlands, within the service area depicted on the USGS Hydrologic Unit Map (Exhibit 2 - Service Area). This service area shall include Piedmont areas (west of Interstate 95) of Hydrologic Unit Codes 02070008, 02070010, and 02070011 within Loudoun County, Fauquier County, Prince William County, Fairfax County, and Stafford County.

The Service Area for individual sites will be identified in the site plan for each site, as approved by the Interagency Review Team. The Service Area for the SFCC mitigation site would include only Piedmont areas of Hydrologic Unit Codes 02070008 and 02070010.

III. Existing Site Conditions

A. Land Use

The initial mitigation project will be completed on a portion of the Echo Dell Farm, a 43.89-acre parcel owned by Mr. Michael Dowling. Historically, Echo Dell Farm had been used to pasture cattle, and Mr. Dowling has recently been evaluating options for the farm. These options include leasing the land to local beef producers as a rotational pasture, establishing a nursery, and/or placing the land in a conservation easement. Adjacent land use includes rural residential and agriculture, as shown on the aerial photograph provided in Exhibit 3.

B. Soils

The SFCC mitigation site is located in the Piedmont Lowlands, with soils that formed in alluvium derived from metamorphic rock. Soil Survey maps for Loudoun County (1986) indicate that the floodplain soils are classified as Hatboro silt loam (Fluvaquentic Endoaquepts), a poorly drained hydric soil (Exhibit 4 - Soils Map).

C. Existing Hydrology

The SFCC mitigation site is located at the confluence of the South Fork Catoctin Creek and an unnamed tributary, which have a drainage area of 6365 acres and 1970 acres, respectively. The site is designated as a Major Floodplain by Loudoun County. Land use in the watershed is primarily agriculture and rural residential. The streams on Echo Dell Farm have been impacted by agricultural activities for many years. There is no evidence that this site has been utilized for row crop production in the recent past, with grazing and hay production being the primary agricultural activity on the site.

D. Jurisdictional Wetlands and Waters of the U.S.

A wetland delineation was completed by Acorn Environmental, Inc., and field-approved by the COE on November 15, 2007 (COE #2007-3642).

III. Proposed Conditions

A. Streams

The location of the stream reach proposed to be enhanced is shown on the Concept Mitigation Plan (Exhibit 5). Although the stream channel has been impacted over the years by grazing, it has adjusted to a stable configuration. The stream is not overwide or incised. The streambanks, while not anchored with woody vegetation, are currently stable and it is not necessary to layback the banks. Installing live-stakes along 500 feet of both banks is all that is required to protect the streambanks from further erosion.

B. Vegetation

A variety of native trees and shrubs will be planted in order to establish an ultimate density of 400 woody stems per acre in wetland establishment areas and riparian buffer areas. The specific species and numbers of trees and shrubs will be identified as part of the Site Plan, and subject to approval of the IRT. All live staking will be completed using *Salix nigra* and *Cornus amomum*, which will be harvested in Loudoun and Fauquier Counties.

IV. Mitigation Methods

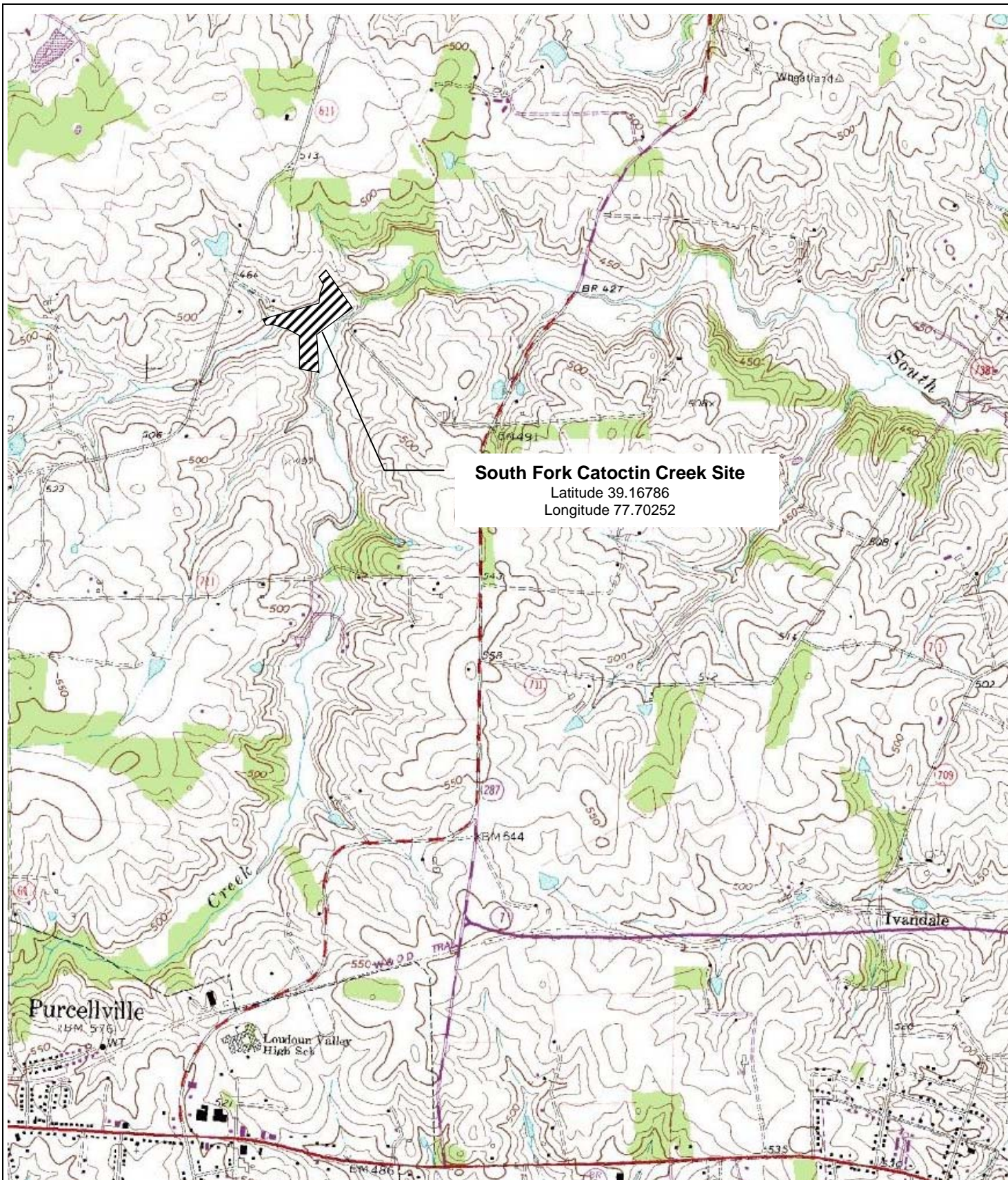
Based upon the hydric soils map, field borings of the soils, and discussions with the owner it appears that the areas proposed for Restoration/Creation were historically forested areas. They were converted to pasture and hay fields in order to support cows and horses by a combination of ditching and re-contouring.

Mitigation methods will be employed to reverse the previous agricultural practices on these lands so as to restore drained and degraded wetlands areas to a high level of wetlands function. This will be accomplished by a combination of practices, including but not limited to:

1. Filling or blocking of ditches,
2. Herbicide treatments of non-native species,
3. Disking and plowing of soils, and
4. Replanting of indigenous vegetation.

Stream mitigation methods will include planting and preserving riparian buffers, biological bank work (stream bank planting), and exclusion of livestock by deed restriction. The SFCC mitigation site includes 1510 linear feet of stream. A 100-foot buffer on both sides of the stream would yield an area of 5.18 acres on the site. However, wetland credits are proposed within one acre of the 100-foot buffer, which precludes the opportunity to establish credits for an adjacent stream buffer. Consequently, one acre of stream buffer will be planted around the perimeter of the site to provide the equivalent of a 5.18-acre, 100-foot buffer on the site.

The sponsor anticipates that the SFCC mitigation site would yield approximately 3.27 wetland credits and 850 stream credits as shown on the Concept Plan provided in Exhibit 5. These estimates will be refined as design plans are prepared in consultation with the Interagency Review Team.



Sponsor:
 Evergreen Environmental, LLC
 425 Darby Road
 Wayne, PA 19087
 (610) 429-4997

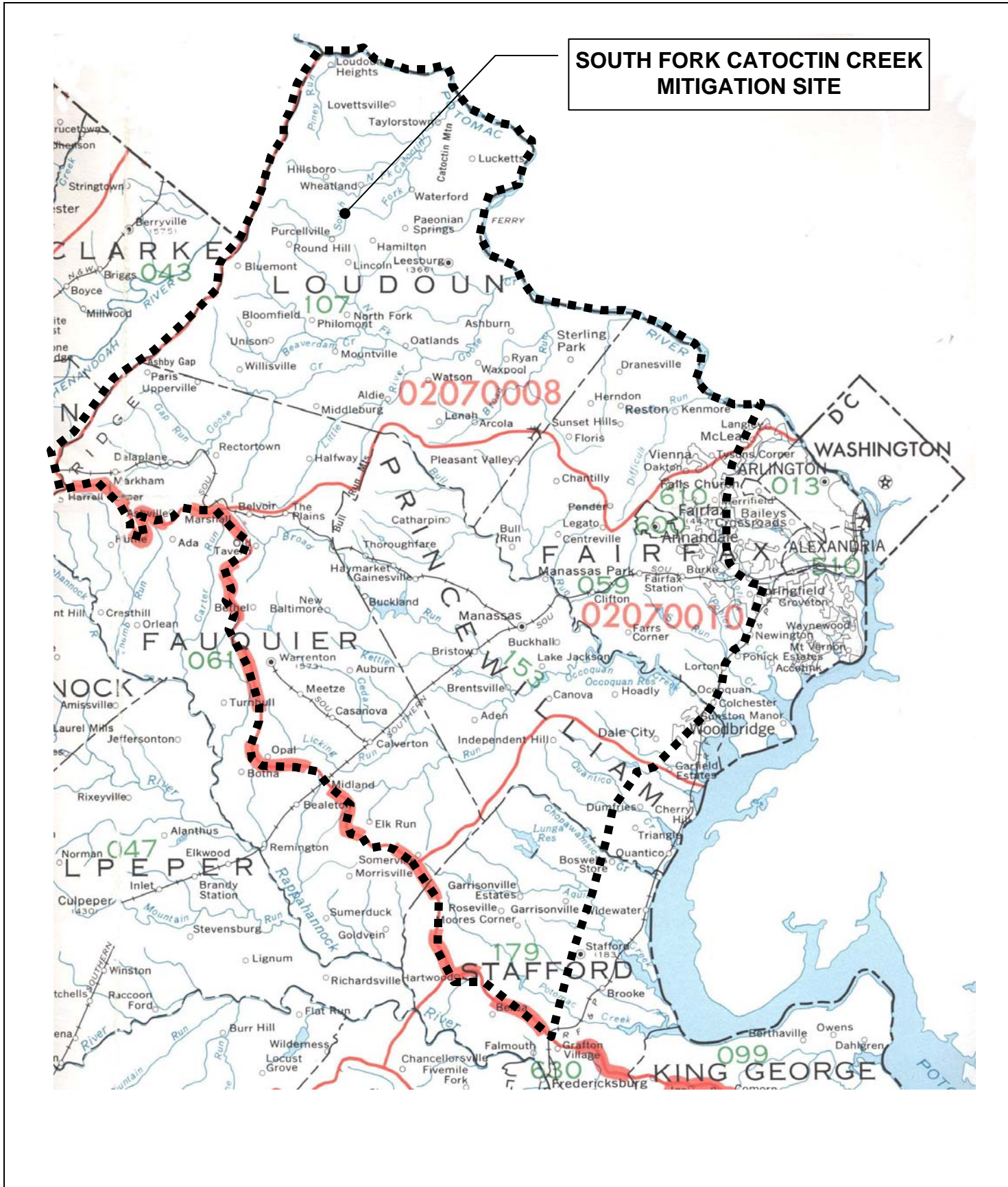
Prospectus for Umbrella Banking Instrument
EVERGREEN POTOMAC RIVER
MITIGATION BANK

Exhibit 1 – Site Vicinity

USGS 1984 Purcellville

1" = 2000 ft

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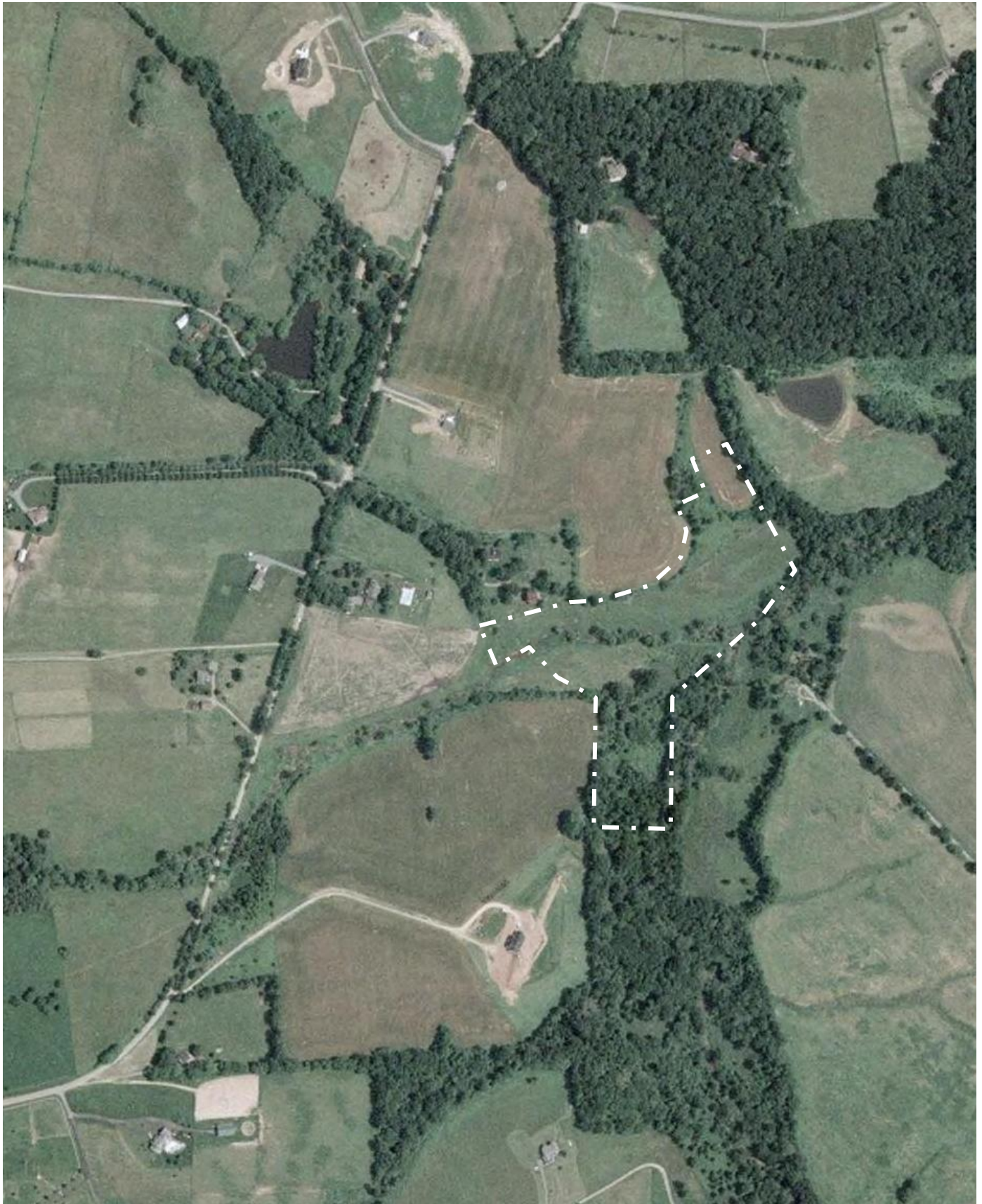
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Exhibit 2 – Service Area

USGS 1980 HUC MAP

Not to Scale

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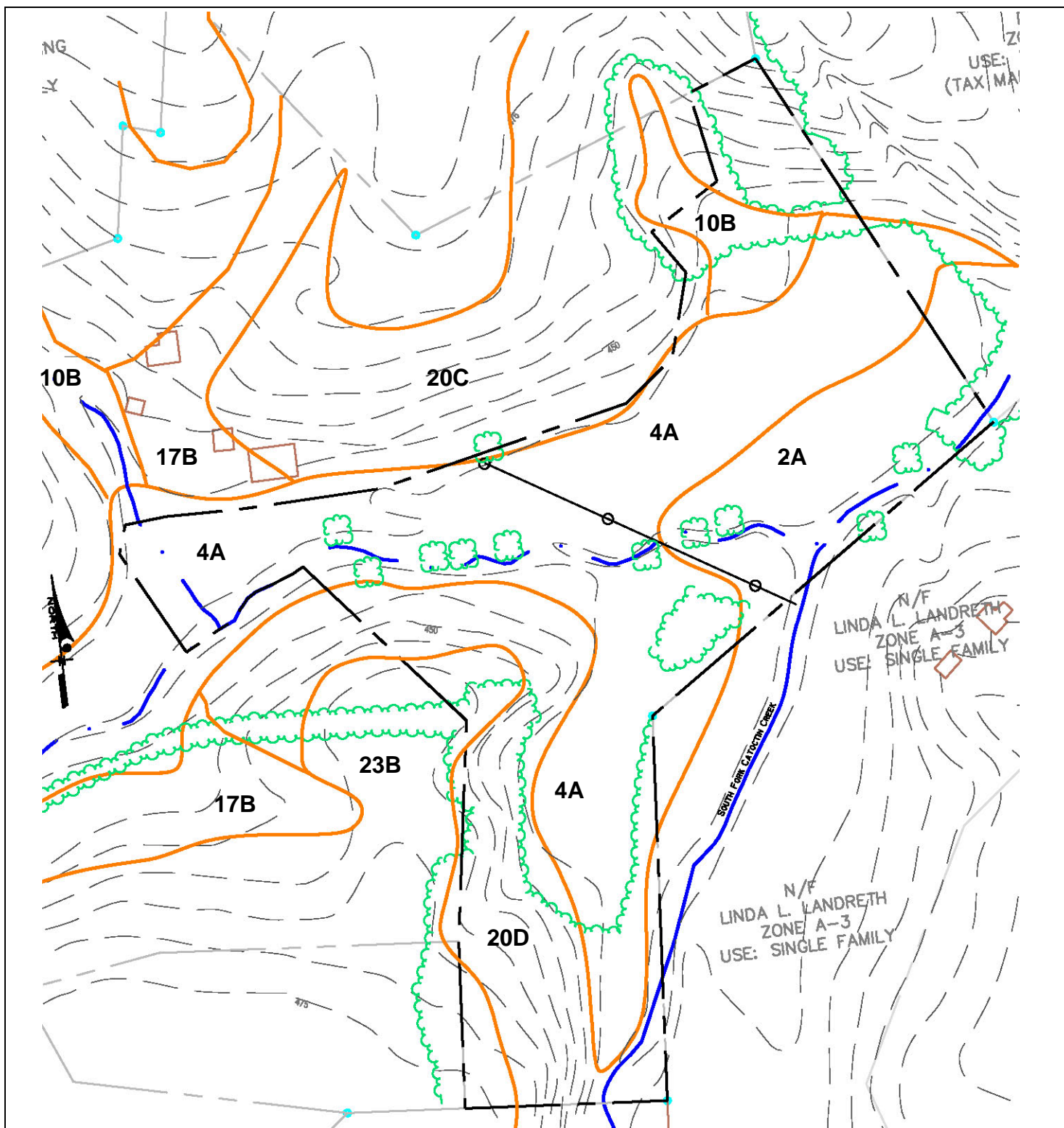
**SOUTH FORK
CATOCTIN CREEK SITE**

Exhibit 3 – Aerial Photo

Photo Date: 2003

Not to Scale

June 2008



2A - Codorus silt loam

4A - Hatboro silt loam (Hydric)

10B - Mongle loam

17B - Middleburg silt loam

20D - Purcellville and Tankerville soils

23B - Purcellville silt loam

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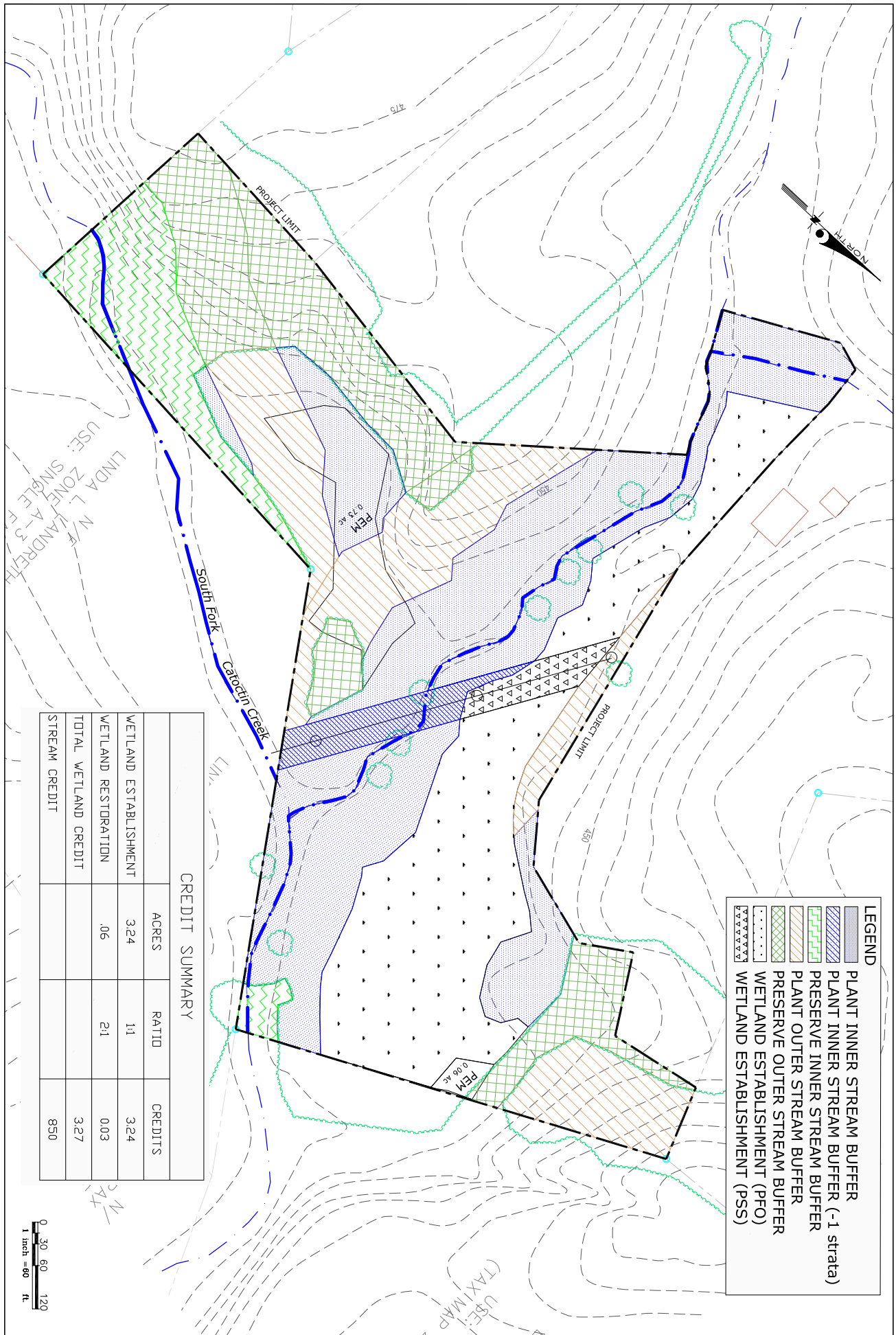
**SOUTH FORK
CATOCTIN CREEK SITE**

Exhibit 4 – Soils Map

Loudoun County GIS

1" = 200 ft

June 2008



CREDIT SUMMARY			
	ACRES	RATIO	CREDITS
WETLAND ESTABLISHMENT	3.24	1:1	3.24
WETLAND RESTORATION	.06	2:1	0.03
TOTAL WETLAND CREDIT			3.27
STREAM CREDIT			850

LEGEND	
	PLANT INNER STREAM BUFFER
	PLANT INNER STREAM BUFFER (-1 strata)
	PRESERVE INNER STREAM BUFFER
	PLANT OUTER STREAM BUFFER
	PRESERVE OUTER STREAM BUFFER
	WETLAND ESTABLISHMENT (PFO)
	WETLAND ESTABLISHMENT (PSS)